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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,577	01/20/2004	Mike Peters	6065-90401	1067
24628	7590	08/01/2007		
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			EXAMINER SAM, PHIRIN	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 08/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/760,577	Applicant(s) PETERS, MIKE	
	Examiner Phirin Sam	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-16, 19-25, 27 and 28 is/are rejected.
- 7) ☒ Claim(s) 7, 8, 17, 18 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

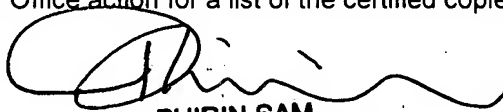
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


PHIRIN SAM
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 9-16, 19-25, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0073203 (hereinafter referred as "Gilleland") in view of US 2004/0156380 (hereinafter referred as "Silverman").

Regarding claims 1, 11, and 21, Gilleland discloses a method of distributing Internet calls by an automatic contact distributor, such method comprising:

- (a) receiving a Session Initiation Protocol INVITE by the automatic contact distributor from a client (see Figs. 1-3, paragraphs [0026], [0029], [0037]);
- (b) setting up a call between the selected agent and the client based upon the Session Initiation Protocol INVITE (see Figs. 1-3, paragraphs [0026], [0028], [0029], [0037]).

Gilleland does not disclose determining a call type from the Session Initiation Protocol INVITE and selecting an agent to handle the Internet call based upon the determined call type. However, Silverman discloses determining a call type from the Session Initiation Protocol INVITE and selecting an agent to handle the Internet call based upon the determined call type (see Figs. 1 and 2, paragraph [0044]). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine determining the call type from the SIP invite and selecting the agent to handle the Internet call teaching by Silverman with Gilleland. The

motivation for doing so would have been to provide priority calls based on a predefined priority scheme read on abstract. Therefore, it would have been obvious to combine Silverman and Gilleland to obtain the invention as specified in the claims 1, 11, and 21.

Regarding claim 2, Gilleland discloses setting up the call through a buffer server (see Fig. 2, element 275, paragraph [0054]).

Regarding claims 3, 12, 13, 22, and 23, Gilleland discloses determining a universal resource locator pair for use by the buffer server for routing packets between the selected agent and client (see Fig. 2, paragraphs [0036], [0041]).

Regarding claims 4, 14, and 24, Gilleland discloses routing a Session Initiation Protocol INVITE regarding the client to the selected agent (see Fig. 1, paragraph [0028]).

Regarding claims 5 and 15, Gilleland discloses decoding the Session Initiation Protocol INVITE to determine a communication protocol to be used for the Internet call (see Fig. 4, paragraph [0046]).

Regarding claims 6, 16, and 25, Gilleland discloses setting up a communication link between the selected agent and the client (see Fig. 1, paragraph [0026]).

Regarding claims 9, 19, and 27, Gilleland discloses defining the communication link as a request for Voice over Internet Protocol (see Fig. 1, paragraphs [0026], [0027]).

Regarding claims 10, 20, and 28, Gilleland discloses defining the communication link as a request for instant messaging (see Fig. 3, paragraph [0038]-[0040]).

Allowable Subject Matter

3. Claims 7, 8, 17, 18, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) US Patent 7,185,094 (Marquette et al) discloses media session framework using a control module to direct and manage application and service servers.

(2) US 2004/0170159 (Kim et al) discloses digital audio and/or video streaming system.

(3) US Patent 6,785,380 (Ribera) discloses network-centric self-administered call center with intelligent mobile agent terminals.

(4) US 2002/0156900 (Marquette et al) discloses protocol independent control module.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phirin Sam whose telephone number is (571) 272-3082. The examiner can normally be reached on a compress schedule, from 8:00-5:30, first Wed off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272 - 3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully submitted;

Date: July 28, 2007

A handwritten signature in black ink, appearing to read 'Phirin Sam', written over a horizontal line.

**PHIRIN SAM
PRIMARY EXAMINER**